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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/638,392	08/12/2003	Kai-Chi Lin	4425-311	5465

7590 04/11/2005

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EXAMINER

MARC, MCDIEUNEL

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/638,392

Applicant(s)

LIN, KAI-CHI

Examiner

McDieunel Marc

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/12/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-17 are presented for examination.
2. The abstract of the disclosure is objected to because the word "invention", also the title should be deleted on top of the abstract. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by **Hofmeister *et al.*** (U.S. PG. Pub. No. **20040151562A1**).

As per claims 1, 5 and 9, Hofmeister *et al.* teaches substrate processing comprising a system and an associated method for operating a robot in an automatic material handling system (AMHS) (see fig. 7 and page 5 col. 2, section [0055]), said method comprising: indicating a token to a first port, wherein said token pre-sets a first job item of said first port to be processed (see fig. 7, wherein element 18A being

considered as a token pre-sets for a first job item); processing a second job item with said robot while said second job item locates in a different section to said first job item but in a same section to said robot and of waiting for being processed to a same section to said first job item (see fig. 7, wherein element 18B being considered as a token for processing a second job item); processing said first job item with said robot (see fig. 7 and page 5, section [0053]); and moving said token off from said first port (see page 5, section [0054]); with respect to claim 5, a computer-readable medium is inherent into figure 7, particularly the controller (see page 11 col. 2, section [0079]); with respect to claim 9, a plurality of ports (see fig. 2, elements 12, 180, fig. 7A, element 660, and section [0055 and 0071-0078]).

As per claims 2 and 6, Hofmeister *et al.* teaches a method, wherein said second job item is a corresponding job item of a second port differing from said first port (see fig. 2, element 12).

As per claims 3, 7 and 16, Hofmeister *et al.* teaches a method, wherein said second job item is processed by said robot while said first job item exists (see figs. 2, 7, 7A, 22-23 and section [0055]).

As per claims 4, 8 and 17, Hofmeister *et al.* teaches a method, wherein said second job item includes an empty job item (see section [0010], wherein inherently moving substrate between transfer chamber meet the limitation of an empty job).


As per claims 10 and 11, Hofmeister *et al.* teaches a system wherein said plurality of ports includes locating in a plurality of floors (see section [0047], wherein floors has been also considered).

As per claims 12-15, Hofmeister *et al.* teaches a system wherein said port differs from said predetermined priority port (see section [0079]), wherein decision implies priority; with respect to claims 14 and 15, a system wherein said corresponding priority job item is a first received job item as been considered as design choice.

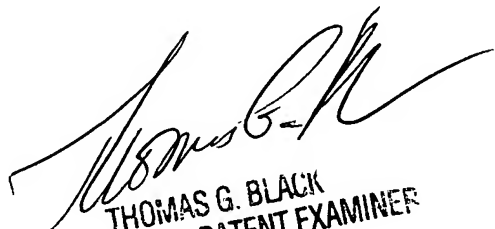
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to McDieunel Marc whose telephone number is (703) 305-4478. The examiner can normally be reached on 6:30-5:00 Mon-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


McDieunel Marc
Thursday, March 31, 2005

MM/


THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3661